

Docket No.: 3368/1D888US1

**DECLARATION AND POWER OF ATTORNEY**  
(Continuation-In-Part Application)

As a below named inventor, I declare that:

1. The information given herein is true, and I believe that I am the original, first and sole inventor (if only one name is listed below), or a joint inventor (if plural inventors are named below), of the invention entitled:

**CHRONIC HEPATITIS VIRUS INFECTION AND CLONAL HEPATO-  
CELLULAR CARCINOMA IN MOUSE REPOPULATED LIVERS**

which is described and claimed in:

- ☐ the attached specification or
- ☒ the specification in application  
Serial No. 09/344,189  
Filed: June 24, 1999  
(for declaration not accompanying application);

2. This application in part discloses and claims new subject matter as well as subject matter disclosed in my earlier-filed application(s)

Serial No. 09/156,892  
Filed: September 18, 1998  
For: CHRONIC HEPATITIS VIRUS INFECTION AND  
CLONAL HEPATOCELLULAR CARCINOMA IN  
MOUSE REPOPULATED LIVERS

3. I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 C.F.R. § 1.56, including such material information which occurred between the filing date of said earlier application and the filing date of this application.

4. I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to herein.

5. As to the subject matter of this application which is common to said earlier application I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our

invention thereof, or more than one year prior to said earlier application or in public use or on sale in the United States of America more than one year prior to said earlier application; said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application. As to the subject matter of this application which is common to said earlier application, I hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed as to the common subject matter are also identified below.

**PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR  
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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6. As to the new subject matter of the present application which is not common to said earlier application I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in a printed publication in any country before my or our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of the present application, and said matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than

Docket No. 3368/1D888-US1

twelve months prior to the date of this application. As to the new subject matter of the present application which is not common to said earlier application, I hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed for the new subject matter are also identified below.

**PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Larch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Mitchell Bernstein, Ph.D. #46,550

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

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212-527-7708

Docket No. 3368/1D888-US1

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: ROGLER FIRST NAME: Charles MIDDLE NAME: E.

CITY: Carmel STATE OR FOREIGN COUNTRY: New York COUNTRY OF CITIZENSHIP: USA

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FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: PETERSEN FIRST NAME: Joerg MIDDLE NAME:

CITY: Hamburg STATE OR FOREIGN COUNTRY: Germany COUNTRY OF CITIZENSHIP: Germany

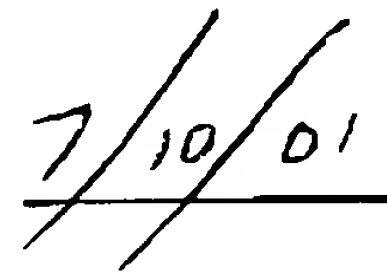
POST OFFICE ADDRESS: Frickestrasse 43 CITY: Hamburg STATE OR COUNTRY: Germany ZIP CODE: 20251

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

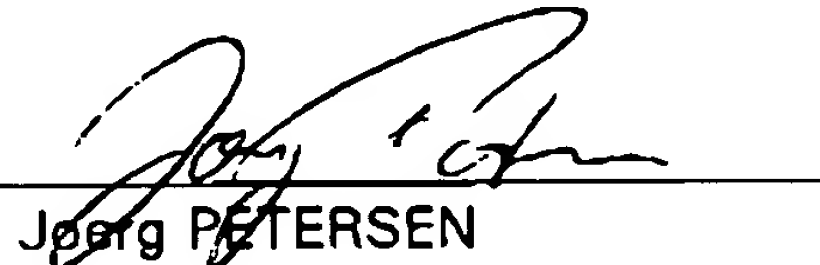
SIGNATURE OF INVENTOR 1:

  
Charles E. ROGLER

DATED:



SIGNATURE OF INVENTOR 2:

  
Joerg PETERSEN

DATED:

